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EXAMINER

CHANKONG, DOHM

ART UNIT PAPER NUMBER

2152

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/892,663

Applicant(s)

SMITH ET AL.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 19-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

1> This action is in response to Applicant's amendment and remarks, dated 10.5.2005. Claim 1, 9, 14, 19 and 22 have been amended. Claims 1-16 and 19-22 are presented for further examination.

2> This is a final rejection.

Response to Arguments

3> Applicant's arguments with respect to rejection of claims 1 and 9 by Knight and Devine have been fully considered and are persuasive. These rejections have been withdrawn.

4> Applicant's arguments with respect to claims 1-16 and 19-21 have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment.

Further, Applicant argues in substance: (a) that Profit does not cure the deficiency of bypassing a second server to directly connect to the intranet; and (b) Devine does not cure the deficiency of detecting a launch of a web browser to direct communications to a separate network address.

In regards to (a), Profit discloses in relevant part: "For instance, the server suite 24 could provide the functionality of a Web server for providing content over the Internet or intranet (not shown)" [column 6 «lines 38-40»] and "the server 18 also includes middleware for converting legacy information" from the legacy system [column 6 «lines 44-47»]. As can

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be seen from Profit's Figure 3, the legacy system is connected to the system interface through "an interface operating under a proprietary protocol" [column 6 «lines 32-33»]. Read together, the implication is that the server suite may act as a Web server having access to a separate Internet or intranet, which is not shown in the figure meaning that the web content is coming from a separate intranet connection (connecting to the legacy system) than the one shown in the figure.

Thus, Applicant's assertion that the legacy data is passed to the intranet is not supported by Profit's disclosure; the intranet contemplated in Profit, which is not shown, is separate from the interface that connects the legacy system to the server and the Internet|intranet connection between the client and the server. The middleware server is bypassed by the web server because the middleware server is only concerned with the generating and modifying legacy transactions so that they may be understood by the web server.

In regards to (b), Willis discloses a system that receives requests for either the legacy system or a non-legacy system [see claims 1 & 7]. By implication, when the system receives the request for non-legacy information, such an intranet [see column 14 «line 19»], the system directs the communications to the address of the non-legacy system. Thus, while Willis discloses directing communications from one network address [the legacy system] to a separate network address [the non-legacy system] upon receipt of a message from the computer, Willis does not expressly disclose is the launching of the browser. Devine was meant to supply this functionality - detection of a launch of a browser allows a system to direct communications to a network address. This functionality combined with Willis'

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already present functionality reads on the claimed limitation. It should be noted here, that dependant claim 5 defines detection of the launch of a browser "by receiving a message" from the client. Willis clearly discloses this message functionality which Devine merely supplements by teaching that browser launches at client computers may be detected.

5> Applicant's arguments with respect to claim 22 has been considered but are not persuasive.

Applicant asserts that Profit does not disclose a system for directing communications from the computer to an intranet address that is distinct from the address of the legacy system (routing information request so that it bypasses the middle to be connected to an intranet). Applicant bases this argument on his characterization of the reference; namely that Profit is directed to a system for providing legacy system data "from the legacy system to an intranet or internet by a server suite" after the data has been converted. The Office disagrees with this characterization for the reasons discussed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6> Claims 1-3, 5-18, 22 are rejected under 35 U.S.C § 103(a) as being unpatentable over Willis, Jr. et al, U.S Patent No. 6,738,815 ["Willis"], in view of Profit, Jr. et al, U.S Patent

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No. 6.636.831 ["Profit"], in further view of Devine et al, U.S Patent No. 6.598.167 ["Devine"], in further view of Fortier, Jr. et al, U.S Patent Publication No. 2003|0023601 ["Fortier"].

7> As to claim 1, Willis discloses a system for permitting a user to access data on a legacy system and an intranet [abstract], comprising:

a systems interface coupled to the legacy systems [column 3 <lines 17-33> | column 5 <lines 18-36>],

wherein the systems interface comprises at least one network address that can be accessed by a computer [column 6 <lines 6-9> | column 8 <lines 3-25>],

wherein while the computer is initially and persistently logged on to the systems interface, the systems interface comprises a first server for managing protocol regarding the computer interfacing with a second server for generating transactions regarding the legacy systems [column 3 <lines 25-33> | column 8 «lines 51-67» : a technician may only communicate with the system when logged in during a session].

Willis discloses that the systems interface is adapted to route communications from the computer from the at least one network address to a separate network address corresponding to an intranet that is distinct from the legacy system [column 6 «lines 1-5» | column 14 «line 19» | claims 3 and 7 where: as Willis also discloses that his system could be utilized to access intranets, it would have been obvious to one of ordinary skill in the art to implement one of Willis' non-legacy systems as an intranet to allow the technicians more options from which to access their information], but does not explicitly disclose routing of communications upon detecting that the user has launched a browser on the computer nor

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does he disclose the first server for managing protocol bypassing the second server by directing the communication from the computer directly to the intranet.

Willis also does not expressly disclose the computer in communication with both the at least one network address and the separate network address such that communication is maintained concurrently. However, Willis does disclose a system that is enabled to route messages to both legacy systems as well as non-legacy systems [claims 1, 7], suggesting that the computer is maintaining concurrent connections with both systems. Furthermore, Fortier discloses a workstation enabled to concurrently communicate with separate legacy systems and an intranet [Figure 1]. Thus it would have been obvious to one of ordinary skill in the art, based on Willis' functionality and Fortier's teachings, to have reasonably inferred Willis' computer to be concurrently connected to both legacy and non-legacy systems (as they are separate systems on the network, they have separate network addresses as well).

8> Devine teaches routing communications upon detecting that a user has launched a browser on the computer [column 12 <lines 28-47> | column 13 <line 62> to column 14 <line 7>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Devine's browser detection capability into Willis to provide handshaking functionality between Willis' client and server systems, increasing the security of the communications.

9> In the same field of invention, Profit is directed towards enabling a mobile worker to remotely access corporate data located in legacy systems [column 2 «lines 43-52»].

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Additionally, Profit discloses both a first server for managing protocol and a second server, whereby the first server bypasses the second server by directing communications from the computer directly to an intranet [column 6 «lines 32-51» where : Profit's server suite 24, is analogous to the first server, and the middleware 22, is analogous to the second server that is directly connected to the legacy systems]. Profit discloses that the server suite in addition to working with the middleware to access legacy applications, can also "provide the functionality of a Web server for providing content over an Internet or intranet (not shown), "Web" is a shorthand for Worldwide web and is commonly used to refer to scripted documents exchanged over the Internet or an intranet". Therefore, when the client needs to access documents from an intranet source and not the legacy system, Profit's server suite directly handles these requests and accesses the data from the intranet. There is no need to go through the middleware because the middleware seems to be used for "converting legacy information received from the business applications or the ERP system". It would have been obvious to one of ordinary skill in the art to incorporate Profit's server suite functionality into Willis' mobile access system to enable users to access data from separate intranet and legacy systems.

10> As to claim 2, Willis discloses the system of claim 1, wherein the computer communicates with the systems interface over a wireline communications network [abstract | column 9 <line 30> to column 10 <line 13>].

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11> As to claim 3, Willis discloses the system of claim 1, wherein the computer communicates with the systems interface over a wireless communications network [abstract | column 8 <lines 37> to column 9 <line 29>].

12> As to claim 5, Willis does not disclose a system wherein the systems interface detects that the user has launched a browser by receiving a message from the computer.

13> Devine teaches a system wherein the systems interface detects that the user has launched a browser by receiving a message from the computer [column 12 <lines 28-47> | column 13 <line 62> to column 14 <line 7>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Devine's browser detection capability into Willis to provide handshaking functionality between Willis' client and server systems, increasing the security of the communications.

14> As to claim 6, Willis does not disclose a system wherein the systems interface detects that the user has launched a browser by receiving a request to transfer to the separate network address corresponding to the intranet.

15> Devine teaches a system wherein the systems interface detects that the user has launched a browser by receiving a request to transfer to the separate network address corresponding to the intranet [column 6 <lines 39-43> | column 8 <lines 17-30> | column 13 <line 62> to column 14 <line 7>]. Devine implements his system to provide increased security for

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accessing the intranet. Therefore, it would have been obvious to one of ordinary skill in the art to implement Devine's network address transfer request to allow the server to verify the user before forwarding the user onward to the intranet thereby allowing secure access to the intranet.

16> As to claim 7, Willis discloses the system of claim 1, wherein communications from the computer are directed from the systems interface to the intranet comprises the second server sending a command to the first server to direct the computer to the separate network address [Figures <1, 3> | column 3 <28-33> | column 5 <lines 24-63> | column 11 <line 59> to column 12 <line 4> where: the TechNet server is equivalent in functionality to the second server, and the protocol server is equivalent to the first server].

Willis does not disclose bypassing the second server.

17> Profit discloses directly accessing the intranet with no need to go through the second server [column 6 «lines 32-51»]. It would have been obvious to one of ordinary skill in the art to modify Willis to have direct intranet access as taught by Profit. One would have been motivated to perform such an implementation to enable users to access data from multiple data sources.

18> As to claim 8, Willis discloses the system of claim 1, wherein the computer is running application-specific client software to enable the computer to access the information from the legacy system, wherein the computer is logged onto the systems interface using the

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application-specific client software, and wherein, following the directing, the computer remains logged onto the systems interface and the application-specific client software remains an active application [column 6 <lines 51-63> | column 7 <lines 6-13> where: the GUI layer is comparable to application-specific client software].

19> As to claims 9-11, they do not teach or further define over the limitations recited in claims 1-3. Therefore, claims 9-11 are also rejected for the same reasons as set forth in claims 1-3, supra.

20> As to claim 12, Willis discloses the system of claim 9, wherein the at least one protocol server provides an interface between the computer and the at least one transaction server, and wherein the at least one transaction server receives requests and generates legacy system transactions [column 3 <lines 6-33>].

21> As to claim 13, Willis discloses the system of claim 12, wherein the means for providing an interface issues at least one command, wherein the at least one command causes the at least one protocol server to direct communications from the computer from the first network address to the second network address [column 8 <lines 7-36> | column 10 <lines 15-22 and 40-48>] but does not explicitly disclose that the command is issued in response to detecting that the user has launched the browser.

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22> Devine teaches issuing a command in response to detecting that the user has launched a browser [column 12 <lines 28-47> | column 13 <line 62> to column 14 <line 7> where: server verifies user when browser is launched before routing the client to the intranet]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Devine's browser detection functionality into Willis' command to allow client and server to establish secure connections before issuing the command to route the client onward to the intranet.

23> As to claims 14-16, as they do not teach or further define over the previously claimed limitations, they are similarly rejected for at least the same reasons set forth for claims 1-3, respectively.

24> As to claim 22, Willis discloses a system for permitting a user to access data by employing a computer to access information from legacy systems, wherein the computer executes application-specific client software to access the information from legacy systems, wherein the computer includes a browser that can be launched by the user to initiate an attempt to access an intranet at a separate network address [column 3 <lines 6-12> | column 5 <lines 47-63>], the system comprising:

a systems interface to the legacy systems, the systems interface including a protocol server and a transaction server [column 3 <lines 24-33>], the protocol server having a first network address and the transaction server having a separate network address [column 9 <lines 46-65> | column 11 <lines 60-67>], wherein the protocol server is capable of issuing at

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least one message to cause communications from the computer to be routed from the first network address to the separate network address when access is granted [column 8 <lines 7-36> | column 10 <lines 15-22 and 40-48>], and wherein the application-specific client software remains an active application after access to the intranet is granted [column 6 <lines 51-63>].

Willis does disclose granting user access to the intranet that is distinct from the legacy systems [column 6 «lines 1-5» | column 14 «line 19» | claims 3 and 7] but does not disclose doing so in response to a browser that can be launched by the user or that the protocol server is adapted to determine whether to grant the user access to the intranet in response to detecting that the user has launched a browser nor does he disclose bypassing the transaction server.

25> Devine discloses a browser that can be launched by the user to initiate an attempt to access an intranet at a separate network address [column 12 <lines 28-31> | column 13 <lines 62-67>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Devine's browser detection functionality into Willis' user access to an intranet that is distinct from a legacy system to allow client and server to establish secure connections before issuing the command to route the client onward to the intranet.

Devine also teaches a protocol server adapted to determine whether to grant the user access to the intranet in response to detecting that the user has launched a browser [column 12 <lines 28-36> | column 13 <lines 29-35>]. It would have been obvious to one of ordinary skill to implement Devine's security protocols into Willis' system to provide enhanced protection of the legacy systems from malicious attacks.

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26> Profit disclose bypassing the transaction server at the second network address [column 6 «lines 32-51»]. It would have been obvious to one of ordinary skill in the art to modify Willis to have direct intranet access as taught by Profit. One would have been motivated to perform such an implementation to enable users to access data from multiple data sources.

27> Claim 4 is rejected under 35 U.S.C § 103 (a) as being unpatentable over Willis, Profit and Devine, in view of Butts et al, U.S Patent No. 6.233.541 [“Butts”].

28> As to claim 4, Willis discloses the system of claim 1, wherein the at least one network address comprises a first IP address corresponding to the first server and a second IP address corresponding to the second server [Figure 20 | column 9 «lines 51-53» | column 10 «lines 5-7» | column 11 «line 60» to column 12 «line 10» | column 12 «lines 46-67» where: although, Willis does not specifically state that the second server has an IP address, a server having an IP address is well known in the art, and he does state that the second server has a separate address from the first server].

Willis discloses a legacy system and intranet with a separate address but does not explicitly disclose that separate network address comprises a third IP address.

29> Butts teaches that a legacy system with an IP address [abstract | Figure 1 where: the legacy system is accessed using TCP/IP communications]. It would have been obvious to

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one of ordinary skill in the art to have implemented Willis' separate address as an IP address to allow Willis' clients access to the legacy system and intranet across a persistent TCP/IP connection, thereby permitting real-time bi-directional communication with the system.

30> Claims 19-21 are rejected under 35 U.S.C § 103(a) as being unpatentable over Devine, in view of Profit, in further view of Willis and Fortier.

31> As to claim 19, Devine discloses a method for permitting a user to access data [column 2 <lines 55-60>], comprising:

authenticating a computer attempting to log onto a systems interface to legacy systems [column 8 <lines 31-34>];

providing initial and persistent access to the systems interface, the systems interface corresponding to at least one network address and including a protocol server providing an interface to a transaction server that is in direct communication with the legacy system [Figure 1 <items 17,24> | column 3 <lines 54-57> | column 13 <lines 29-35> | column 13 <line 62> to column 14 <line 7> where: Devine's DMZ is comparable to the systems interface. User has access throughout his session];

detecting an attempt to access an intranet that is distinct from the legacy systems, wherein the attempt comprises a user launching a browser [Figure 1 <items 14,30> | column 12 <lines 28-32>];

determining whether to grant the computer access to the intranet [column 12 <lines 35-37> | column 13 <lines 62-63> where: the server attempts to authenticate the client]; and

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directing communications from the computer from the systems interface to a separate network address corresponding to the intranet [Figures <1,5> | column 9 <lines 20-37> | column 13 <lines 39-40> where: the TCP/IP in the message format references a network address for the intranet].

Devine does not disclose the directing the an intranet by the protocol server bypassing the transaction server by direct communications from the computer directly to an intranet nor does he disclose the computer in communication with both the at least one network address and the separate network address such that communication is maintained concurrently.

32> Profit discloses both a protocol server and a transaction server, whereby the protocol server bypasses the transaction server by directing communications from the computer directly to an intranet [column 6 «lines 32-51» where : Profit's server suite 24, is analogous to a protocol server, and the middleware 22, is analogous to a transaction server that is directly connected to the legacy systems]. Profit discloses that the server suite in addition to working with the middleware to access legacy applications, can also "provide the functionality of a Web server for providing content over an Internet or intranet (not shown), "Web" is a shorthand for Worldwide web and is commonly used to refer to scripted documents exchanged over the Internet or an intranet". Therefore, when the client needs to access documents from the intranet, Profit's server suite directly handles requests to the intranet, with no need to go through the middleware because the middleware seems to be used for "converting legacy information received from the business applications or the ERP system".

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It would have been obvious to one of ordinary skill in the art to implement Profit's server functionality into Devine to enable a user to access data from both a legacy and intranet source [To avoid confusion, it should be noted that Examiner is not referring to the intranet that Devine utilizes to access his legacy system; the intranet used in the rejection of this claim is provided by Profit. In other words Devine discloses an invention to access a legacy system (through an intranet). Profit discloses accessing a legacy system and a separate intranet. It is this functionality that is combined with Devine in the rejection of this claim].

33> Willis does disclose a system that is enabled to route messages to both legacy systems as well as non-legacy systems [claims 1, 7], suggesting that the computer is maintaining concurrent connections with both systems. Furthermore, Fortier discloses a workstation enabled to concurrently communicate with separate legacy systems and an intranet [Figure 1]. Thus it would have been obvious to one of ordinary skill in the art, based on Willis' functionality and Fortier's teachings, to modify Devine's system such that a computer may access a legacy and non-legacy system concurrently. Such a combination would enable a user to access both legacy and intranet systems remotely [see Willis, column 3 «lines 6-12»].

34> As to claim 20, Devine discloses the method claim 19, wherein the systems interface comprises a first server having a first network address and a second server having a second network address, wherein the first server provides a protocol interface between the computer and the second server, and wherein the second server processes requests and generates legacy transactions [Figure 5 <items 17,26,20> | column 8 <lines 17-30> | column 8 <line 61> to column 9

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<line 5> | column 23 <lines 7-58> where: Devine's web server is comparable to the first server, Devine's dispatcher server is comparable to the second server, that generates transactions to the legacy systems].

35> As to claim 21, Devine discloses the method of claim 19 wherein the step of determining comprises confirming that a user of the computer is logged into the systems interface [column 24 <lines 20-25>].

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942.

The examiner can normally be reached on Monday-Thursday [7:00 AM to 5:00 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC



BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER